

## **BILL ANALYSIS**

H.B. 1890  
By: Creighton  
Natural Resources  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently when a permit application is filed for a new underground injection well, the Texas Commission on Environmental Quality ("the commission") is required to notify the Department of State Health Services and other interested entities who may then make recommendations on the permit application.

H.B. 1890 requires that the commission also notify groundwater districts of new permit applications for wells within the district's territory.

### **RULEMAKING AUTHORITY**

It is the Committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Amends Section 27.017, Water Code, by changing Subsection (a) and adding Subsection (b) as follows:

Sec. 27.017 RECOMMENDATIONS FROM OTHER ENTITIES. Subsection (a) Provides that the executive director must provide the Department of State Health Services, rather than the Texas Department of Health, and other persons which the commission may designate copies of every application received in proper form. Provides that within 30 days these entities may make recommendations to the commission concerning any aspect of the application.

Subsection (b) Provides that if an application in proper form for a permit for an injection well to dispose of industrial and municipal waste and the proposed location of the injection well is in the territory of a groundwater conservation district, the executive director of the commission must provide a copy of the application to that groundwater conservation district. Provides that the affected groundwater conservation district may make recommendations to the commission regarding the application in the same manner as an entity that submitted a copy of the application under Subsection (a).

SECTION 2. Amends Section 27.018, Water Code, by adding Subsection (e) as follows:

Subsection (e) Provides that in addition to requirements of Subsection (c), before any testimony is heard in a contested case regarding an application for a permit for an injection well to dispose of industrial and municipal waste that is proposed to be located in the territory of groundwater conservation district, the record of the proceeding must provide evidence that a copy of each draft permit proposed by the executive director was provided and that notice of the contested case hearing was mailed to the governing body of the groundwater conservation district.

SECTION 3. States that changes in law apply only to permits that are received by the Texas Commission on Environmental Quality on or after the effective date of this Act.

SECTION 4. Provides the effective date of this Act .

### **EFFECTIVE DATE**

This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.